

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

MAY 5 - 2006

LUTHER D. THOMAS, Clerk
By: *Jeffrey*
Deputy Clerk

Carla B. Keith

Plaintiff

vs.

General Electric Company
GE Consumer & Industrial

Defendant

Jury Trial Demand

1 06 CV 1086

-MHS

TITLE VII COMPLAINT

1. Plaintiff resides at 5594 Gramercy Drive, Atlanta,
GA, 30349

2. Defendant(s) names (s) Jeffrey R. Immelt, Bradford
Greene, Sandra Weston, Dan Reynolds, and
David Pasternak

Location of principal office(s) of the named defendant(s) Two Corporate,
Shelton, CT 06484-6238

Nature of defendant(s) business Service

Approximate number of individuals employed by defendant(s) 360,000

*Note: This is a form complaint provided by the Court for pro se litigants who wish to file an employment discrimination lawsuit. It is not intended to be used for other kinds of cases.

3. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is specifically conferred on the court by 42 U.S.C. § 2000e-5. Equitable and other relief are also brought under 42 U.S.C. §e-5(g).

1. The acts complained of this suit concern:

- A. ☐ Failure to employ me.
 B. ☒ Termination of my employment.
 C. ☒ Failure to promote me.
 D. ☒ Other (Specify) Retaliation
Harassment
Intimidation
Coercement
Terms and Condition of employment

5. Plaintiff:

- A. ☐ presently employed by the defendant.
 B. ☒ not presently employed by the defendant. The dates of plaintiff's employment were 3-20-2000 - 4-11-2006.
 The reasons plaintiff was given for termination of employment is/are:
 (1) ☐ plaintiff was discharged.
 (2) ☒ plaintiff was laid off.
 (3) ☐ plaintiff left the job voluntarily.

6. Defendant(s) conduct is discriminatory with respect to the following:

- A. ☒ my race
 B. ☐ my religion.
 C. ☐ my sex.
 D. ☐ my national origin.
 E. ☐ Other (specify) Retaliation For Complaining
of Title VII issues.
FMLA
Disability

7. The name(s), race, sex and the position or title of the individual(s) who allegedly discriminated against me during the period of my employment with the defendant company is/are:

Bradford Greene, white male, Human Resource Manager
Sandra Weston, white female, Immediate manager.
Dan Reynolds, white male, Human Resource manager.
David Pasternak, white male, Human Resource manager.

8. Describe the discriminatory actions or events you are complaining of in this lawsuit. Give factual detail, including names and dates concerning what happened. You do not need to refer to any statutes or cite law.

Carla Keith wrote an internal complaint on 7-1-04 to CEO, Lloyd Trotter, Vice Pres HR, Joseph Ruccou, and HR Manager, Bradford Greene. The complaint included race discrimination, equal pay, lateral moves, lower job classification, harassment, illegal hiring practices against minorities, and that Ms Keith would attest in a Court of law. The complaint inspired Brad Greene and Sandra Weston to collaborate and Retaliate against Ms. Keith. On 7- -04 Ms. Weston refused "Oracle" training to Ms. Keith only. On 9- -04 Mr. Greene responded to the internal complaint by agreeing to update Ms. Keith's job title to a SST-Leader that she had been performing since 7-22-02. Ms. Weston claims Oracle was down for two years that is why it wasn't changed. Mr. Greene Also verbally agreed to increase Ms. Keith salary to reflect the role of a SST-Leader and he encouraged Ms. Keith to let him know about internal

Jobs that interest Ms. Keith and they would provide her training.
Ms Keith sent Mr. Greene several emails from 9-04 - 4-05 inquiring about
the promised salary increase, she sent him 17 jobs from 9-04 - 12-04
and all her emails were ignored and she nevered received any training.
ON 4-5-05 Ms Keith and Ms. Weston had a phone performance review conference.
Ms. Weston wrote on the review that " Carla would need not to look in the
Inventory Accounting / Direct Billing departments to pursue her career interest

9. The alleged illegal activity took place at 400 Technology Court
Suite A, Smyrna, GA 30080

10. A. ☒ I have filed a charge with the Equal Employment Opportunity Commission regarding defendant(s). (I have attached a copy of my charge(s) filed with the Equal Employment Opportunity Commission, which are incorporated into this complaint.

B. ☐ I have not filed a charge.

11. A. ☒ I received a Notice of Right-to-Sue letter from the Equal Employment Opportunity Commission on 2-8-06 (date). (I have attached a copy of the Notice of Right-to-Sue which is incorporated into this complaint.)

B. ☐ I have not received a Notice of Right-to-Sue letter from the Equal Employment Opportunity Commission.

12. State what relief you are seeking from the Court. If you are seeking a monetary award (back pay or damages), state the amount you are seeking. If you are seeking injunctive relief (an order by the Court) issued against the defendant(s) summarize what should be in the order.

because only lateral moves are available to her within the current organization!" Ms. Weston also stated to Ms. Keith that she would need to return to Naperville, IL to perform her current SST-Leader duties. Mr. Dan Reynolds, Human Resource manager signed off on the Performance review.

On 4-6-05 I sent a follow up email to Sandra Weston, Brad Greene, Mark Testa, and Dan Reynolds. I wanted more clarification from Ms. Weston about the lateral move comment on my 2004 Performance Review and some other issues about my return to Naperville, IL.

On 4-5-05 the same day of the performance review Ms. Weston posted a higher career band level position a Senior Financial Analyst within the Inventory Accounting Dept. Since Ms. Keith had to return back to Naperville, IL

per Ms. Weston's request. She applied for the position on 4-11-05 and Ms. Keith was never interviewed for the position but was verbally told on 4-28-05 by Ms. Weston that this job will also be a lateral move to her and Brad Greene agreed with Ms. Weston. Her reason was is that Ms. Keith is her direct report and any job she apply for under Ms. Weston will be a lateral move. She also stated that her job is the only job that Ms. Keith can promote to. A white male was selected for the position.

On 4-11-05 Ms. Keith email Ms. Weston a request for relocation to Naperville, IL and the date Ms. Weston like for Ms. Keith to return per Ms. Weston request. Ms. Keith sent several emails and has not received an response from Ms. Weston.

On 4-18-05 after several attempts to follow up with Ms. Weston to review her performance evaluation for Ms. Keith. Brad Greene and Ms. Keith had a phone

Conference. During the phone conference Mr. Greene addressed the previously ignored salary increase emails that was sent from 9-04 until 4-05 to him. He intimidated Ms. Keith by telling her that she had to sign an "Agreement and Release" in order to get the salary increase she had earned for the SST-Leader. He did not state that the "Agreement and Release" had to be signed to get the Back Pay. Ms. Keith had stated to Mr. Greene that she did not want the Back Pay, but he verbally promised it to her on 11-04.

Mr. Greene also discussed Ms. Keith's performance review questions that Ms. Weston ignored. He stated that Ms. Weston shared with him that Ms. Keith will not return to Naperville, IL. Ms. Keith asked him why would Ms. Weston assume this. Ms. Weston told

Ms. Keith that she had to return to Naperville, IL on 4-5-05. Ms. Keith also ask Mr. Greene to have Ms. Weston interpret her response by email, since she is the one who wrote the negative comments on Ms. Keith's performance review. Mr. Green responded by saying that we do not give written responses. Ms. Keith received the "Settlement and Agreement" documents on 4-25-05. On 5/13/05 I hadn't signed the "Agreement and Release" and I didn't receive the salary increase, per Mr. Greene request if I don't sign the documents I will

not receive the raise. I complained of Retaliation on 5/13/05 to CEO, Lloyd Trotter and General Counsel, Raymond Burse by email. After the complaint I received the salary increase without signing the documents. The increase was still not equal pay.

On 6-17-05 Ms. Keith and Mr. Burse had a conference call he stated that Mr. Greene told him that he had given Ms. Keith a severance package and he

would take the investigation lead in my complaint.

On 5/31/05 and 6/1/05 Ms Keith received an Outlook conference email title "SR. Accounting Analyst - Inv Ops" 14 days after a class action discrimination lawsuit was filed. The attendees required were Carla Keith, Sandra Weston, and Dan Reynolds. Ms Keith refused to participate in the conference because she received a message from Dan Reynolds stating that Paul L Kolacsay, GE Supply legal wanted to talk to me about what Ms. Keith should and not do. There was no job posted with this exact title and I assumed it was the job that I applied for on 4-11-05 the "SR. Financial Analyst", the position was filled and updated in the system on 5/31/05.

On 6/14/05 Sandra Weston posted another position within the Supplier Support Team. The job was an AP Black Belt - Integration. Ms. Keith instant message Ms. Weston on 6-21-05 and asked if this job would be a lateral move. Ms. Weston verbally responded and said yes because you are my direct report. Ms. Keith was discourage and did not apply for the position and a white female under 40 years who was also reporting to Ms. Weston at that time was promoted into the position. The duties of the AP Black position were already being performed by Ms. Keith since 11/2002.

Ms. Keith applied for 35 jobs that she was qualified for since 5/04 - 10/21/05. She has not been offered not one of the positions.

Ms Keith was diagnosed with Carpal tunnel on 12/27/05 her Workers Comp, GE Disability, and FMLA has all been denied. Ms. Keith provided a Medical Release

form to the GE Disability team on 1/19/06. Her medical records were not requested by the GDC and her 2/9/06 denial letter states that the doctor recommends: Not to approve any GE Disability Claims from 1/17/06 through ongoing. Ms. Keith appealed on 2/20/06 and was denied GE Disability on 3/12/06.

Ms. Keith requested FMLA on 2/9/06 after her GE Disability claim was denied. She provided the FMLA certification to David Pasternak and Sandra Weston numerous of times. Instead of receiving a denial or a approval letter she was been harassed by David Pasternak, he was sending letters by emails that she need to return to work immediately or

she will be taking off payroll for job abandonment. Ms. Keith received the emails on 2/9/06, 2/23/06, and on 3/10/06. Ms. Keith received an email that she was effectively taking off payroll for job abandonment. Ms. Keith was forced to return to work on 3/13/06 with an open wound and on 3/14/06 she received an notification from David Pasternak that she would be on lack of work effective 4/11/06. Ms. Keith was told to leave the building immediately on 3/14/06 two hours

prior her workers comp deposition. ALL of my assignments were stripped from me since 4/1/05 and I reported to work everyday in distress with nothing to do.

Punitive Damages - because of the personal Retaliation.
Mental Distress - Ms Keith suffered from adverse
effect during harassment and discrimination activities.
within the company.
To stop systematically discriminating against African
Americans during promotions, raises, and job classification.

5-5-06

Date

Charles R. Keith

Signature of Plaintiff

Address: 5594 Gramercy
Drive, Atlanta, GA
30349

Telephone: 404-346-8981

EEOC Form 5 (5/01)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):



FEPA



EEOC

410-2006-01446

and EEOC

State or local Agency, if any

Name (Indicate Mr., Ms., Mrs.)

Ms. Carla R. Keith

Home Phone No. (Incl Area Code)

(404) 346-8981

Date of Birth

09-04-1961

Street Address

City, State and ZIP Code

5594 Gramercy Drive, Atlanta, GA 30349

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

GENERAL ELECTRIC SUPPLY COMPANY

No. Employees, Members

101 - 200

Phone No. (Include Area Code)

(770) 437-2261

Street Address

City, State and ZIP Code

400 Technology Court, S.E., Suite R, Smyrna, GA 30082

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☒ RETALIATION ☐ AGE ☒ DISABILITY ☐ OTHER (Specify below.)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

07-28-2005**04-11-2006**☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I. I was hired by the above-named employer since March 20, 2000, as a Supply Support Team Leader. On July 28, 2005, I filed a EEOC complaint, # 110-2005-03607 and ever since, I have been constantly harassed. I have been denied disability and FMLA. I was laid-off on April 11, 2006.

II. David M. Posternak, Human Resources Manager, stated that my position was eliminated.

III. I believe that I have been retaliated against for having filed a previous EEOC charge, in violation of Title VII of the Civil Rights Act of 1964, as amended and Title I of the Americans with Disabilities Act of 1990.

APR 20 2006

EEOC-ATDO

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State and Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

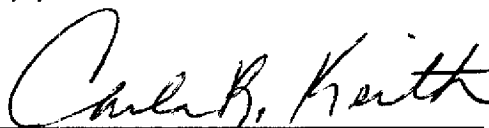
I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)


Apr 20, 2006

Date



Charging Party Signature

EEOC Form 5 (5/01)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: _____ Agency(ies) Charge No(s): 110-2005-03607 <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	
and EEOC			
State or local Agency, if any			
Name (Indicate Mr., Ms., Mrs.) Ms. Carla R. Keith		Home Phone No. (incl Area Code) (404) 346-8981	Date of Birth 09-04-1961
Street Address 5594 Gramercy Drive		City, State and ZIP Code Atlanta, GA 30349	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name GENERAL ELECTRIC SUPPLY COMPANY		No. Employees, Members 15 - 100	Phone No. (Include Area Code) (770) 437-2261
Street Address 400 Technology Court, S. E., Suite R		City, State and ZIP Code Smyrna, GA 30082	
Name _____		No. Employees, Members _____	Phone No. (Include Area Code) _____
Street Address _____		City, State and ZIP Code _____	
DISCRIMINATION BASED ON (Check appropriate box(es).) <input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify below.)		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 04-01-2005 07-01-2005 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):			
<p>I am currently employed by the above employer in the position of Supplier Support Team Leader. I have been employed since March 20, 2000. Since my employment, I have been subjected to harassment by my immediate supervisor, Sandra Weston. On April 1, 2005, I was to receive back pay because of an internal complaint I made and instead I was told that I had to sign the back pay documents in order to receive a raise. When I received the documents, they were marked severance pay documents. I was also encouraged by Ms. Weston not to apply for a job that I was qualified for. Instead, a White female was selected. I was told that my transfer to Georgia would be a lateral move for me. On May 10, 2005, I filed an internal retaliation complaint with the CEO and Legal Department of my company to no avail. I am the only Black employee under Ms. Weston's supervision. Since that time, I have been subjected to disparate terms and conditions of employment. As of July 1, 2005, all of my work assignments have been cancelled and Ms. Weston has instructed me to return to the Illinois Office for no apparent reason. I am being treated differently from similarly situated White employees.</p> <p>I believe I have been discriminated against because of my race (Black) and retaliated against for opposing acts in violation of Title VII of the Civil Rights Act of 1964, as amended.</p>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State and Local Agency Requirements <div style="text-align: center; font-size: 2em; font-weight: bold; opacity: 0.5;">RECEIVED</div>	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT <div style="text-align: center; font-size: 1.5em; font-weight: bold; opacity: 0.5;">JUL 28 2005</div>	
<div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> 7-28-05 Date </div> <div style="text-align: center;">  Charging Party Signature </div> </div>		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year) 7-28-05 <div style="text-align: center; font-size: 1.5em; font-weight: bold; opacity: 0.5;">EEOC ATDO</div>	

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Carla R. Keith
5594 Gramercy Drive
Atlanta, GA 30349

From: Atlanta District Office - 410
100 Alabama Street, S.W.
Suite 4R30
Atlanta, GA 30303

☐ On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
110-2005-03607	Norman Reid, Investigator	(404) 562-6863

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA must be filed in federal or state court **WITHIN 90 DAYS** of your receipt of this Notice or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

- ☒ More than 180 days have passed since the filing of this charge.
- ☐ Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of the charge.
- ☒ The EEOC is terminating its processing of this charge.
- ☐ The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

- ☐ The EEOC is closing your case. Therefore, your lawsuit under the ADEA must be filed in federal or state court **WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.
- ☐ The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of your charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Enclosure(s)

Bernice Williams-Kimbrough,
Director

FEB 03 2006

(Date Mailed)

cc: Bradford Greene
Human Resource Manager
GENERAL ELECTRIC SUPPLY C
2235 Corporate Lane
Naperville, IL 60563